



***Phytophthora ramorum* Quarantine - Frequently Asked Questions**

2nd Edition – March 27, 2002

Recent updates are **boldfaced**

What articles are being regulated?

APHIS is regulating the interstate movement of all confirmed hosts of *Phytophthora ramorum* from quarantined areas.

When are the new regulations effective?

The regulations were effective February 14, 2002, the day the interim rule was published in the Federal Register (67 FR 6827-6837). The interim rule and the latest version of this frequently asked questions document can be found on the web at: www.aphis.usda.gov/ppq/ispm/sod/.

What plants are affected by *P. ramorum*?

As of the publication of this document, the following species of plants have been confirmed as hosts for *P. ramorum*:

Big leaf maple (<i>Acer macrophyllum</i>);	Huckleberry (<i>Vaccinium ovatum</i>);
Black oak (<i>Quercus kelloggii</i>);	Madrone (<i>Arbutus menziesii</i>);
California bay laurel (<i>Umbellularia californica</i>);	Manzanita (<i>Arctostaphylos manzanita</i>);
California buckeye (<i>Aesculus californica</i>);	Rhododendron (<i>Rhododendron</i> spp., including azalea);
California coffeeberry (<i>Rhamnus californica</i>);	Shreve's oak (<i>Quercus parvula</i> var. <i>shrevei</i>);
California honeysuckle (<i>Lonicera hispidula</i>);	Tanoak (<i>Lithocarpus densiflorus</i>); and
Coast live oak (<i>Quercus agrifolia</i>);	Toyon (<i>Heteromeles arbutifolia</i>).

The interim rule says that *Arctostaphylos manzanita* is affected by *P. ramorum*, but also says that all *Arctostaphylos* species are regulated articles. Is this correct?

The interim rule's listing of all *Arctostaphylos* species as regulated articles is incorrect. We only meant to regulate the interstate movement of *Arctostaphylos manzanita*, and we will soon publish a correction in the Federal Register to clarify that fact.

What kinds of articles are prohibited movement under this quarantine?

Under the new regulations, bark chips, forest stock, and mulch of the host plants listed above may not be moved interstate from quarantined areas. (Forest stock is considered to include all known *P. ramorum* host flowers, trees, shrubs, vines, scions, buds, fruit pits, or other seeds of fruit and ornamental trees or shrubs that are wild-grown, backyard-grown, or naturally occurring, and that are not located on a nursery premises.)

What kinds of articles can be moved, but under additional restrictions?

The following articles of the host plants listed on the previous page may only be moved interstate from quarantined areas if accompanied by a certificate stating that they meet the applicable new requirements contained in the interim rule. (Those requirements are summarized later in this document, according to the type of article.)

1. Soil (must be free of duff¹)
2. Nursery stock
3. Wreaths, garlands, and greenery
4. Unprocessed wood and wood products including firewood, logs, and lumber

What areas are quarantined?

The following counties in the State of California are quarantined: Alameda, Marin, Mendocino, Monterey, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma. In the State of Oregon, we have quarantined a 9-square-mile area near the Brookings area of Curry County. Please see the interim rule for a full description of that area.

I have seen news reports that *P. ramorum* has been found in Placer County, CA. Are those reports correct?

At the time this document was published, those reports have not been confirmed.

Are fruits and nuts regulated?

Fruits of host articles (including huckleberry) that are produced commercially and that are moved for consumption are allowed to move interstate without restriction. Such fruits (if they are being moved for propagation) and any wild-collected or backyard-grown fruits may not be moved interstate. Acorns, nuts, and seeds from host plants grown in a nursery may be moved provided that the nursery is tested for *P. ramorum* in accordance with the regulations and is found free. All other acorns, nuts, and seeds from host plants are considered forest stock and are prohibited interstate movement.

How do I get a certificate to move a regulated article?

In California, call your County Agriculture Commissioner's office at least **48 hours** in advance of the time you wish to move articles interstate for information on how to obtain certificates in your area. In Oregon, contact the Oregon Department of Agriculture at least **48 hours** in advance.

What are compliance agreements?

Any person engaged in growing, processing, handling, or moving regulated articles may enter into a compliance agreement when an inspector inspects his or her place of business and determines that the person understands the regulations, agrees to comply with them, and agrees to comply with all the provisions contained in the compliance agreement. Once a compliance agreement is signed by the interested

¹ Duff is decaying plant material including leaf litter, green waste, stem material, bark, and any other plant material that, upon visual inspection, does not appear to have completely decomposed into soil.

party and APHIS, the person may move regulated articles interstate as stipulated in the compliance agreement. To request a compliance agreement form in California, call your County Agriculture Commissioner's office. In Oregon, contact the Oregon Department of Agriculture. Compliance agreement forms are also available without charge from the Animal and Plant Health Inspection Service, Plant Protection and Quarantine, Invasive Species and Pest Management, 4700 River Road Unit 134, Riverdale, MD 20737-1236. Forms will also soon be available on the Internet at <http://www.aphis.usda.gov/ppq/ispm/sod/>.

I want to move bark chips, forest stock, or mulch interstate from a quarantined area to conduct research on *P. ramorum*. Can I do that?

Yes, but only if you are moving the articles for scientific examination, and only if you have obtained a Departmental permit for the movement from APHIS. APHIS will only grant a request for a Departmental permit for a particular movement if it has first inspected the research facility and determined that it offers a sufficient degree of quarantine security to preclude improper exposure or movement of the articles. Any such movements would have to be in compliance with the conditions specified in the permit and are further dependent on approval of the appropriate State agricultural official.

What type of test is APHIS using to test nursery stock for *P. ramorum*?

APHIS is planning to use a combination of a screening test and *in vitro* culturing for confirmation. First, a PCR test would be used to screen for the presence of *Phytophthora ramorum*. If that test returns negative results, no additional testing would be required. If that test returns positive results, an *in vitro* culture test would be required. If the *in vitro* culture test is negative, the host material will be determined to be not infected with *P. ramorum*. If the *in vitro* culture test is positive, the host material will be determined to be infected with *P. ramorum*.

Is APHIS conducting a national survey for the presence of *Phytophthora ramorum*?

APHIS is cooperating with the California Department of Agriculture, the Oregon Department of Agriculture, and other States, as well as with USDA's Forest Service and Agricultural Research Service to implement a risk-based pilot national survey to determine if *P. ramorum* exists in other parts of the United States.

I want to move non-host plants interstate from a nursery that doesn't handle any *P. ramorum* host species. Do I need to have my plants tested? What requirements apply to me?

Nurseries that do not contain *P. ramorum* host articles may move articles interstate provided that the soil in which the articles are potted or planted is free of duff. Persons moving such articles may enter into compliance agreements to issue certificates, and no testing of articles is required. Nurseries that do not contain *P. ramorum* host articles may move nursery stock interstate without a certificate if the plants are bare-rooted.

Is APHIS enforcing the regulations as explained in the interim rule? Has anything changed?

APHIS is enforcing the regulation as written except as follows:

1. We have decreased the amount of lead time needed for scheduling an inspection of regulated articles. As stated earlier in this document, in California, call your County Agriculture Commissioner's office at least 48 hours in advance of the time you wish to move articles interstate. In Oregon, contact the Oregon Department of Agriculture at least 48 hours in advance.

2. Regarding the movement of green waste (which includes urban and commercial yard waste, including wood, bark, leaves, and grass clippings): APHIS is authorizing the movement of green waste to energy generation facilities and certain landfills under limited permits. Persons wishing to move green waste to energy generation facilities or landfills should contact their County Agriculture Commissioner's office for information on how to obtain limited permits in your area.

3. We are now allowing nurseries to enter into compliance agreements with APHIS. Nurseries that do not contain *P. ramorum* host material and that have entered into a compliance agreement with APHIS may certify plants in soil for interstate movement in accordance with the regulations and the conditions of the compliance agreement. Such plants and soil must be free of duff. Nurseries that do contain *P. ramorum* host material may not self-certify articles for interstate movement, but may enter into compliance agreements. The compliance agreement for such nurseries will specify the conditions under which APHIS will allow the interstate movement of plants from nurseries, including guidance on preparing plants for inspection and testing by APHIS.

4. Regarding soil: For nursery stock moving interstate from quarantined areas, the soil in which the nursery stock is potted otherwise planted must be free of duff. Alternately, such soil could be treated to a temperature of at 180 °F for 30 minutes in the presence of an CDFA or APHIS inspector. In either case, the nursery stock must be accompanied by a certificate confirming that one of these conditions has been met. At this time, APHIS is not enforcing restrictions on the movement of soil from other areas besides nurseries. We note that certain policies are in place in California and Oregon to address concerns about soil and its possible implications in the spread of *P. ramorum*:

The California Department of Forestry and Fire Protection (CDF) has formally declared "zones of infestation" and recommended that persons:

- Not collect and transport plant material from black oak, coast live oak, Shreve's oak, tanoak, California huckleberry and rhododendrons.
- Not transport soil or firewood.
- Avoid driving or parking vehicles in areas where they may become contaminated with soil or mud.
- Avoid areas of damp soil or mud when hiking, biking, or horseback riding in areas that have the disease.
- Before returning to an area that is free of the disease, do their best to remove or wash off accumulations of soil and mud from shoes, mountain bikes, pet's feet, vehicles, etc.

California State Parks advises that visitors follow these requirements in State Parks in the infested California counties. Persons should:

- Not transport soil or firewood.
- Avoid driving or parking vehicles in areas where they may become contaminated with soil or mud.
- Avoid areas of damp soil or mud when hiking, biking, or horseback riding in areas that have the disease.
- Before returning to an area that is free of the disease, do the best you can to remove or wash off accumulations of soil and mud from shoes, mountain bikes, pet's feet, vehicles, etc.

The California Oak Mortality Task Force has made the following statement:

BEFORE leaving an infested area and heading to a non-infested area please take the following recommended precautions:

- Don't transport any soil, water or woody material from the infested areas.
- Clean automobile and bicycle tires.
- Clean shoes, paying special attention to the tread of hiking boots that might hold soil.
- Clean your dog's feet, horse's hooves, etc.
- Thoroughly clean any items that came in contact with soil and plant material during your visit.
- Clean tents, truck beds or any other areas that might hold infected plant material.

The Oregon Department of Agriculture has reported that it does not allow any movement of soil out of their regulated areas.

APHIS supports these efforts, and, until research shows otherwise, consider these efforts to be sufficient to address concerns related to the movement of soil from infested areas. Nonetheless, *P. ramorum* regulations authorize that, "any other product or article that an inspector determines to present a risk of spreading *Phytophthora ramorum*, if an inspector notifies the person in possession of the product or article that it is subject to the restrictions in the regulations." This means that an inspector is authorized to act within this framework should they determine that there is justification to do so. The statements and information above this paragraph does not remove this authorization, but serves to clarify our policy.

I disagree with the regulatory approach devised by APHIS. What can I do to change it?

There is much that is unknown about *P. ramorum*. In the interim rule, APHIS has endeavored to regulate the movement of articles that could cause *P. ramorum* to spread to unaffected areas based on the best scientific evidence available to us at the time the interim rule was published. We invite the public to submit any information that supports or improves our regulatory strategy. Comments must be postmarked, delivered, or e-mailed by April 15, 2002. Comments submitted by postal mail or courier must be addressed to:

Docket No. 01-054-1
Regulatory Analysis and Development
PPD, APHIS
Station 3C71
4700 River Road Unit 118
Riverdale, MD 20737-1238

To submit comments electronically, please visit <http://comments.aphis.usda.gov>, and follow the instructions. Persons who use this website will be able to submit and review their comments, and view comments submitted by other persons.

Summary of Requirements for Moving Regulated Articles Interstate

Note: Only products that are, or contain, confirmed host species of *P. ramorum* are regulated. For example:

- A nursery-grown plant of Huckleberry (*Vaccinium ovatum*) is regulated, but a cranberry (*Vaccinium macrocarpa*) plant grown in the same nursery is not regulated, and may move interstate without restriction.
- The movement of wreaths and garlands containing California bay laurel is regulated, the movement of conifer wreaths and garlands is not.
- The movement of cedar mulch is not restricted under these regulations, but mulch containing the bark of black oak or Shreve's oak is prohibited movement.

Wood Products Such as Firewood, Logs, or Lumber

P. ramorum host wood products moving interstate from quarantine areas must be free of bark, and must be accompanied by a certificate confirming as such.

Wreaths, Garlands, and Greenery

Wreaths, garlands, and greenery composed of known host plants that move interstate from quarantine areas must have been dipped for 1 hour in water that is held at a temperature of at least 160 °F, and must be accompanied by a certificate confirming as such.

Soil

Soil can be moved interstate provided all duff is removed.

- For nursery stock moving interstate from quarantined areas, the soil in which the nursery stock is potted otherwise planted must be free of duff, and the nursery stock must be accompanied by a certificate confirming as such.
- Alternately, soil could be treated to a temperature of at 180 °F for 30 minutes in the presence of an CDFA or APHIS inspector.

Soil moving interstate must be accompanied by a certificate stating that the soil meets one of the above conditions.

At this time, APHIS is not enforcing restrictions on the movement of soil from other areas besides nurseries. We note that agencies in California and Oregon have established recommendations to address concerns about the movement of soil and its possible implications in the spread of *P. ramorum*.

Nursery Stock (except acorns and seeds)

Plants produced in nurseries that do not produce or contain any *P. ramorum* host plants are not subject to any inspectional requirements, unless they planted or potted in soil. Nurseries that move plants in soil must obtain certificates for the movement of soil in accordance with the procedures for soil described above. Nursery owners or operators are eligible to enter into compliance agreements to self-certify that soil is free of duff.

P. ramorum host nursery stock moving interstate from quarantine areas must:

- Be shipped from a nursery or premises that is inspected annually, as described below, and that has been found free of *Phytophthora ramorum*.
- Be part of a shipment of nursery stock that has been inspected prior to interstate movement, as described below, and that has been found free of *Phytophthora ramorum*.
- Be kept separate from regulated articles not inspected between the time of the inspection and the time of interstate movement.
- Have not been grown in, or moved from, other areas within a quarantined area except nurseries or premises that are annually inspected for *Phytophthora ramorum* in accordance with the regulations and that have been found free of *Phytophthora ramorum*.

Annual Nursery Inspections

- If a nursery contains 100 or fewer regulated articles, an inspector will inspect each regulated article. If a nursery contains more than 100 regulated articles, an inspector will inspect 100 regulated articles and at least 2 percent of the number of regulated articles contained in the nursery that exceeds 100. The regulated articles to be inspected will be randomly selected from throughout the nursery.
- If symptomatic plants are found upon inspection, the inspector must collect at least one sample per symptomatic plant.
- If fewer than 40 symptomatic plants are found in a nursery during an annual inspection, the inspector must collect samples from nonsymptomatic regulated articles of nursery stock so that the total number of sampled plants is at least 40.
- Samples must be labeled and sent for testing to a laboratory approved by APHIS. The samples must be screened using a test approved by APHIS. If the test indicates *P. ramorum* is present, then the sample must be cultured for confirmatory testing.
- If any regulated articles within a nursery are found to be infected with *Phytophthora ramorum*, the nursery will be prohibited from moving regulated articles interstate until such time as an inspector can determine that the nursery is free of *Phytophthora ramorum*.

Inspections of Individual Shipments of Nursery Stock

- In California, please contact your County Agriculture Commissioner's office at least 48 hours in advance of the time you wish to move articles interstate to schedule inspection and, if necessary, testing of the shipment. In Oregon, contact the Oregon Department of Agriculture at least 48 hours in advance.

- If a shipment contains 100 or fewer regulated articles, an inspector will inspect each regulated article. If a shipment contains more than 100 regulated articles, an inspector will inspect 100 regulated articles and at least 2 percent of the number of regulated articles contained in the shipment that exceeds 100. The regulated articles to be inspected will be randomly selected.
- If symptomatic plants are found upon inspection, the inspector will collect at least one sample per symptomatic plant, and one sample per regulated article of nursery stock that is in close proximity to, or that has had physical contact with a symptomatic plant.
- Samples will be labeled and sent for testing to a laboratory approved by APHIS, and must be found free of *Phytophthora ramorum* prior to the interstate movement of any regulated articles contained in the shipment. The samples must be screened using a test approved by APHIS. If the test indicates *P. ramorum* is present, then the sample must be cultured for confirmatory testing.
- If any plants intended for interstate movement are found to be infected with *Phytophthora ramorum*, the nursery from which they originate will be prohibited from moving regulated articles interstate until such as time as an inspector can determine that the nursery is free of *Phytophthora ramorum*.